



U.S. Department of Justice

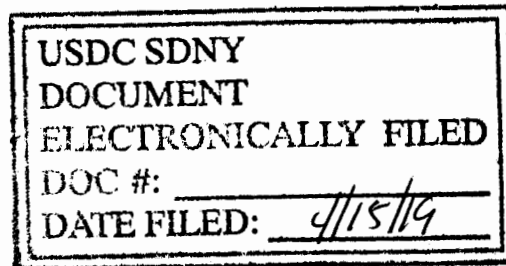
United States Attorney
Southern District of New York

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April 11, 2019

By ECF:

The Honorable Henry Pitman
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312



Re: *Michael T. Cohen, individually, and as the executor of the Estate of Arielle Hart
Cohen v. United States of America*, No. 17 Civ. 7660 (LAK) (HBP)

Dear Judge Pitman:

This Office represents the United States of America (the “government”) in the above-referenced action. I write jointly with plaintiffs to request a stay of discovery to permit the parties to discuss a potential settlement of this matter.

In brief, this is a tax refund action by plaintiffs, who claim that the Internal Revenue Service wrongly disallowed their claimed charitable deduction relating to an architectural façade easement on their Manhattan townhouse that they donated to a nonprofit organization. One of the primary issues in the case is the proper value of the easement, if any, compared to plaintiffs’ claimed value.

Both sides have now provided appraisals of the easement. The parties wish to explore whether it may be possible to bridge the difference between their respective valuations—and thus resolve the case—without further litigation.

The parties believe that a stay of discovery would allow both sides to explore settlement further without also having to focus time and attention on litigation. In addition, completing expert depositions at this time—which under the existing schedule must occur this week—would also incur costs that may be unnecessary. For these reasons, the parties respectfully request that the Court stay all pending deadlines for approximately thirty days. If the Court adopts this proposal, the parties propose that we will file a status update by Friday, May 10, 2019.

ALL PROCEEDING IN THE MATTER
ARE STAYED UNTIL 5-10-19. COUNSEL
IS TO PROVIDE A STATUS REPORT ON OR
BEFORE THAT DATE.

SO ORDERED

HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE
4-12-19

I thank the Court for its consideration of this request.

Respectfully,

GEOFFREY S. BERMAN
United States Attorney

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